



RESPONSE - NOTICE  
OF MISSING PARTS

File No.: A32213-PCT-USA 071800.0117

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Briedan, Walter et al.  
Serial No. : 09/214,679  
Filed : January 7, 1999  
For : METHOD OF PREPARING (S) - OR (R) - 3,3,3 - TRIFLUORO-2-HYDROXY-2- METHYLPROPIONIC ACID

RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371.

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

Responsive to the Response to Notification of Missing Requirements Under 35 U.S.C. 371, enclosed herewith an executed Declaration referring to the above-identified application by one or more of the following compliance with 37 C.F.R. 1.63:

- ☒ Name of inventor and application serial number;  
☐ Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;  
☒ Name of inventor, title of invention and filing date;

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CERTIFICATE OF MAIL

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 28, 1999.

Carmella L. Stephens  
Attorney Name

Carmella L. Stephens  
Signature

41,328  
Registration No.

December 28, 1999  
Date of Signature

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☒ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

1. ☐ A check in the amount of \$ \_\_\_\_\_  
☐ \$130 - Other than Small Entity  
☐ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
2. ☒ An extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$ 1,360.00

TOTAL FEE \$ 1,360.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Carmella L. Stephens

Henry Tang

Patent Office Reg. No. 29,705

Carmella L. Stephens

Patent Office Reg. No. 41,328

Agent for Applicant(s)

(212) 408-2500



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231



09/214.679  
U.S. APPLICATION NO. 09/214.679

FIRST NAMED APPLICANT BRIEDEN

W

ATTY. DOCKET NO.

A32213-PCT

INTERNATIONAL APPLICATION NO.

PCT/EP97/03670

I.A. FILING DATE

PRIORITY DATE

07/10/97

07/10/96

DATE MAILED:

07/28/99

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a Non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

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National Stage Processing  
Patent Specialist  
(703) 305-3653

DOCKETED  
FOR 8/28/1999 BY